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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 28147 PERMIT 19447 LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

WHEREAS:

1. Permit 19447 was issued to Greene Acres Property Owners Association on April 4, 1985, pursuant to Application 28147.
2. A petition for an extension of time has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 8 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	December 31, 2003	(0000008)
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2. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE	December 31, 2003	(0000009)
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Dated: **OCTOBER 7 1993**

961 Roger Anton
Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 28147

PERMIT 19447

LICENSE _____

ORDER APPROVING THE DELETION OF PERMIT CONDITIONS 16, 17 AND 19

WHEREAS:

1. Permit 19447 was issued to Greene Acres Property Owners Association on April 4, 1985 pursuant to Application 28147.
2. Permit Conditions 16, 17 and 19 were made part of the permit at the request of the Department of Fish and Game. Condition 16 pertains to the requirement of minimum bypass flows in the stream for fish, wildlife and riparian habitat. Condition 17 requires the installation of a stream flow measuring device. Condition 19 requires that a wildlife drinker be installed.
3. The point of diversion is on U.S. Forest Service property and subject to conditions in a special use permit.
4. Since the issue of Permit 19447 the spring has been excavated and enclosed with an underground collection system, with the approved of the U.S. Forest Service.
5. The Permittee has requested that conditions 16, 17 and 19 be deleted from Permit 19447.
6. The Department of Fish and Game has advised the Board that alternate water supplies are available within 30 yards of the diversion point and that conditions 16, 17 and 19 are not applicable to the project as built.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Permit conditions 16, 17 and 19 are hereby deleted from Permit 19447.

Dated: JULY 22 1988

Walter G. Pettit

for Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 19447

Application 28147 of Greene Acres Property Owners Association
c/o James I. Powell, 6425 Matterhorn Drive, Sacramento, California 95842

filed on June 4, 1984, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Unnamed Spring

Tributary to:

Unnamed Stream thence
Deer Creek thence
North Fork Yuba River

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
North 1,200 feet and East 1,300 feet from SE corner of Section 11	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	12	20N	12E	MD

County of Sierra

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
Domestic	Greene Acres Subdivision within SE $\frac{1}{4}$ of NE $\frac{1}{4}$	11	20N	12E	MD	

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.033 cubic foot per second by direct diversion from January 1 to June 15 and September 1 to December 31 of each year. The maximum amount diverted under this permit for all uses shall not exceed 14.0 acre-feet per year. (0000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)

7. Construction work shall begin within two years of the date of this permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked. (0000007)

8. Construction work shall be completed by December 1, 1988. (0000008)

9. Complete application of the water to the authorized use shall be made by December 1, 1989. (0000009)

10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000010)

11. Permittee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

12. Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

14. The equivalent of the continuous flow allowance for any 7-day period may be diverted in a shorter time, provided there be no interference with other rights and instream beneficial uses; and provided further that all terms or conditions protecting instream beneficial uses be observed. (0000027)

15. No water shall be appropriated until the permittee has established a permanent organization which will, to the Board's satisfaction, properly operate and maintain the permittee's water supply system. (0000028)

~~Deleted~~ 16. For the protection of fish, wildlife, and riparian habitat, permittee shall bypass a minimum of 0.1 cubic foot per second. The total streamflow 0140060 shall be bypassed whenever it is less than the designated amount.

~~Deleted~~ 17. No water shall be diverted under this permit until permittee has installed device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flow required by the conditions of this permit. Said measuring device shall be properly maintained.

18. This permit is subject to prior rights. Permittee is put on notice that during some years water will not be available for diversion during portions or all of the season authorized herein. The annual variations in demands and hydrologic conditions in the Sacramento are such that in any year of water scarcity the season of diversion authorized herein may be reduced or completely eliminated on order of this Board made after notice to interested parties and opportunity for hearing. (0000090)

~~Deleted~~ 19. Permittee shall install a wildlife drinker which is acceptable to the California Department of Fish and Game.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: APRIL 4 1985

STATE WATER RESOURCES CONTROL BOARD

Raymond Wash

Chief, Division of Water Rights